

Rebecca Terry v. County of Milwaukee, et al.

17CV1112

Transcript of the Testimony of:

Amika Avery

April 5, 2018

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<p>1 A No.</p> <p>2 Q And you don't remember one way or the other whether</p> <p>3 she responded to you?</p> <p>4 A No.</p> <p>5 Q Did anybody ever come to you after March 10th --</p> <p>6 well, on March 10th or after March 10th, and ask</p> <p>7 you about your interactions with Ms. Terry?</p> <p>8 A No.</p> <p>9 Q Have you ever seen any reports about what happened</p> <p>10 to Ms. Terry?</p> <p>11 A No.</p> <p>12 Q Have you ever heard of another inmate giving birth</p> <p>13 to a baby in the jail?</p> <p>14 A Yes.</p> <p>15 Q And were you involved in any way in that incident?</p> <p>16 A Yes.</p> <p>17 Q And can you tell me what your involvement was in</p> <p>18 that incident?</p> <p>19 A Assigning an inmate to a housing unit when she gave</p> <p>20 birth.</p> <p>21 Q And which inmate are you talking about?</p> <p>22 A Inmate Swazer (phonetic).</p> <p>23 Q Did you have any other interaction other than</p> <p>24 assigning her to a housing unit?</p> <p>25 A No. Can I restate that?</p>	<p>1 Q Are there times when you're assigned to escort</p> <p>2 inmates and do other jobs?</p> <p>3 A Yes.</p> <p>4 Q Do you know what determines whether you're going to</p> <p>5 have other responsibilities?</p> <p>6 A No.</p> <p>7 Q You don't know what determines that?</p> <p>8 A Let me restate that.</p> <p>9 Q Okay.</p> <p>10 A Our master control officers will let us know if we</p> <p>11 need to do other duties that are available in the</p> <p>12 jail.</p> <p>13 Q Okay. So someone tells you, but you're not aware</p> <p>14 of any other policy of why you might have other</p> <p>15 duties one night and not on a different night?</p> <p>16 A No.</p> <p>17 Q What shift do you currently work?</p> <p>18 A Second shift.</p> <p>19 Q How long have you been on the second shift?</p> <p>20 A A month as of April 4th.</p> <p>21 Q Were you on third shift up until a month ago?</p> <p>22 A Yes.</p> <p>23 Q Do you know whether there's any policy at the jail</p> <p>24 about accepting inmates upon return from the</p> <p>25 hospital?</p>
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<p>1 Q Sure.</p> <p>2 A Yes, I did.</p> <p>3 Q Okay. What else?</p> <p>4 A I escorted her to the new housing assignment.</p> <p>5 Q Once you're done escorting -- well, let me ask, is</p> <p>6 that a full job escorting someone -- escorting</p> <p>7 people back and forth?</p> <p>8 MR. ARNOLD: Objection.</p> <p>9 THE WITNESS: Yes.</p> <p>10 MR. ARNOLD: I'm just going to object,</p> <p>11 it's vague. What do you mean by a full time?</p> <p>12 MR. RAUSCHER: That's a fair objection.</p> <p>13 Q Once you're done escorting an inmate to where</p> <p>14 they're supposed to be, do you have any further</p> <p>15 interaction with that inmate?</p> <p>16 A No.</p> <p>17 Q Do you know what your assignment was on the third</p> <p>18 shift, March 10th, 2014?</p> <p>19 A No.</p> <p>20 Q Is escorting inmates back and forth an assignment</p> <p>21 for a shift?</p> <p>22 A Yes.</p> <p>23 Q And so does the fact that you escorted Ms. Terry</p> <p>24 suggest that you were assigned to escort inmates?</p> <p>25 A Yes.</p>	<p>1 A Can't remember.</p> <p>2 Q Have you ever received any training from Armor?</p> <p>3 A No.</p> <p>4 Q Do you know what Armor is?</p> <p>5 A Yes.</p> <p>6 Q What's Armor?</p> <p>7 A It's our medical staffing that provides medical</p> <p>8 attention with doctors, nurses, nurse</p> <p>9 practitioners.</p> <p>10 Q Have you ever been invited to attend any training</p> <p>11 that Armor is conducting?</p> <p>12 A No.</p> <p>13 Q And have you ever read any of Armor's policies for</p> <p>14 the Milwaukee County Jail?</p> <p>15 A No.</p> <p>16 Q Have you ever seen any of Armor's policies for the</p> <p>17 Milwaukee County Jail?</p> <p>18 A Not that I remember, no.</p> <p>19 Q Have you ever received any medical training while</p> <p>20 you worked at the Milwaukee County Jail?</p> <p>21 A Yes.</p> <p>22 Q And tell me what training -- what medical training</p> <p>23 you've received at the jail?</p> <p>24 A If I could restate that?</p> <p>25 Q Sure.</p>

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1 A We had a nurse come up to the academy when I was in
 2 the process of graduating, basically gave us
 3 insight on what to do as far as helping the
 4 inmates.
 5 And, um, went over slideshows, and just
 6 basically stating what Armor do. At the time it
 7 was Milwaukee County. Let me restate that. It was
 8 Milwaukee County, it was not Armor.
 9 Q So you -- when were you at the academy?
 10 A I was at academy June -- No, excuse me, let me
 11 restate that. January of 2013.
 12 Q Did you receive any -- you said there were slides,
 13 slideshows?
 14 A Yes.
 15 Q Did you get copies of those slideshows?
 16 A No.
 17 Q Do you remember the contents of the slideshows?
 18 A No.
 19 Q Do you remember which nurse provided that training?
 20 A I just remember her first name was Lisa.
 21 Q Does she still work at the jail?
 22 A No.
 23 Q Do you know when she stopped working at the jail?
 24 A No.
 25 Q Has anyone from Armor ever told you when you should

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1 be informing medical personnel about inmate
 2 illnesses?
 3 A No.
 4 Q Has anyone from Armor ever told you about when you
 5 should inform medical about any inmate complaints
 6 about medical issues?
 7 MR. ARNOLD: Did you say has anyone from
 8 Armor ever told you that?
 9 MR. RAUSCHER: Yeah.
 10 MR. ARNOLD: Thank you.
 11 THE WITNESS: No.
 12 BY MR. RAUSCHER:
 13 Q Do you have discretion whether to decide to call
 14 medical?
 15 A No.
 16 Q How do you decide whether you should call medical?
 17 A I call medical any time an inmate is stating
 18 they're having any kind of discomfort.
 19 Q You call medical immediately?
 20 A Yes.
 21 Q So if an inmate says their finger hurts, you call
 22 medical immediately?
 23 A I'll contact the clinic, or I'll have the inmate
 24 fill out a medical form.
 25 Q And what do you do if you have the inmate fill out

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1 the medical form? What do you do with the form?
 2 A Then the form gets turned over to Armor.
 3 Q So you'll never just ignore an inmate if they
 4 complain to you?
 5 A No.
 6 Q But you won't always call medical immediately; is
 7 that right?
 8 A I'll contact the clinic and let the clinic medical
 9 assistant pass on the message, and let the nursing
 10 staff decide if they're going to handle it, or if
 11 the inmate needs to fill out a medical form.
 12 Q So before you give a form, you will call the
 13 clinic?
 14 A Yes.
 15 Q No matter how small the complaint seems to
 16 somebody?
 17 A Yes.
 18 Q Someone says, "I have a headache," you'll call
 19 medical immediately?
 20 A Yes.
 21 Q If someone says, "I want a Band-Aid," you'll call
 22 medical immediately?
 23 A I'll inform the inmate at that time when the
 24 medical nursing staff comes to pass out med pass,
 25 to ask for a Band-Aid.

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1 Q So if something seems minor, you won't call medical
 2 immediately?
 3 A No, I won't.
 4 Q If something seems more major, you will call
 5 medical immediately?
 6 A Yes.
 7 Q And nobody has ever told you when something is?
 8 Has anybody ever told you when a condition or a
 9 complaint is considered serious enough that you
 10 should call medical?
 11 A Yes.
 12 Q Who has told you?
 13 A The training that I received at the academy.
 14 Q In January 2013?
 15 A Yes.
 16 Q From a Milwaukee County nurse?
 17 A Yes.
 18 Q And what did that nurse tell you about when you
 19 should be calling medical?
 20 A Let me restate that. Actually, it was the
 21 correctional officer that told us that, that was
 22 training us. And the lieutenant, the training
 23 lieutenant.
 24 Q Okay. Who were those people?
 25 A At the time it was Lieutenant Washington and

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1 Officer Shot-Schneider (phonetic).
 2 Q Shot-Schneider?
 3 A Shot-Schneider.
 4 Q Okay. Is that the first name "Shot", or that's a
 5 last name?
 6 A Her last name.
 7 Q Okay. Do you know Lieutenant Washington's first
 8 name?
 9 A No.
 10 Q Were they both lieutenants?
 11 A No.
 12 Q Okay, what was Shot-Schneider's title?
 13 A She was a correctional officer at the HOC.
 14 Q Was Lieutenant Washington at the jail?
 15 A He was at the training academy.
 16 Q Okay. What did Lieutenant Washington and
 17 Lieutenant -- and CO Shot-Schneider tell you about
 18 when you should be calling medical?
 19 A They informed us any time someone has any medical
 20 attention that's needed, that's highly important,
 21 and we're not medical, to inform medical and let
 22 medical decide if medical attention is needed.
 23 Q Now, did they tell you how to decide whether
 24 medical attention was needed?
 25 A Just basically more like if inmates are complaining

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1 about difficulty breathing, if inmates having
 2 severe chest pains, if a female inmate is
 3 complaining about labor pains, or complications in
 4 her pregnancy. It was just basically major medical
 5 attention.
 6 Q And do you remember specifically being told at that
 7 training that if a female is complaining about
 8 labor pains --
 9 A It was just basically major.
 10 Q I want to know if you were specifically being told
 11 that if a female complains of labor pains, you
 12 should immediately call medical?
 13 A No.
 14 Q Which conditions do you recall being told
 15 specifically, if you were told about these by an
 16 inmate, call medical immediately?
 17 A Mainly chest pains -- let me restate that. Just
 18 any major medical.
 19 Q They just said major medical?
 20 A Major.
 21 Q They didn't describe what major medical means?
 22 A They used examples of different inmates having --
 23 in the training, issues with any type of medical
 24 situations.
 25 Q What examples do you remember?

1 A Asthma. There was a case about a lady having an
 2 asthma attack. Cases about inmates having chest
 3 pains. Difficulty breathing.
 4 Q But in your experience, you'll call medical for
 5 conditions that are far less serious than those?
 6 A Yes.
 7 Q Have you observed other CO's practices?
 8 A No.
 9 Q In your experience, do inmates fake conditions
 10 frequently?
 11 A No.
 12 Q No. So if they say there's a complaint, it's
 13 usually legitimate?
 14 A Yes.
 15 Q Do you know if other correctional officers share
 16 your view on that?
 17 MR. ARNOLD: If you know.
 18 THE WITNESS: Yes.
 19 BY MR. RAUSCHER:
 20 Q Yes, they do share your view that if inmates
 21 complain, it's legitimate?
 22 A We have to call medical regardless, yes.
 23 Q Well, you -- I'm not asking if you have to call,
 24 I'm asking typically in your experience, if inmates
 25 complain about something, are they legitimately

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1 complaining, or do inmates frequently --
 2 A Yes.
 3 Q They are legitimately complaining?
 4 A Yes.
 5 Q Do you know if other officers share your view on
 6 that?
 7 A Yes.
 8 Q Yes, other officers who you know also are of the
 9 view that if inmates are making medical complaints,
 10 the complaints are legitimate?
 11 A Yes.
 12 Q Have you ever been reprimanded for missing
 13 inspections?
 14 A No.
 15 Q Are you aware of any other officers being
 16 reprimanded for missing inspections?
 17 A No.
 18 Q Have you ever skipped doing an inspection?
 19 A No.
 20 Q Are you aware of any officers who have skipped
 21 doing inspections?
 22 A No.
 23 Q Let me -- let's mark this as Exhibit 2. This is
 24 the roll call announcement.
 25 (Exh. 2 marked for identification.)